

T³: Trustee Training Tips

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IS THAT YOUR FINAL ANSWER?

Picture this: you're in the produce aisle at the supermarket—or anywhere you'd like this fantasy exercise to be—when you strike up a conversation that identifies you as a member of the public library board of trustees. Your companion just happens to be interested in the library and proceeds to ask you several questions, reasonably expecting accurate answers. How well would you respond to these basic queries: How big is the library's budget? What is the library's mission? What goals does the library have for the next year or so? What programs does it have for children, or seniors, or whatever group in which your inquisitive friend has an interest?

These are not unreasonable questions. Trustees should be able to answer them without having to refer the questioner to the library staff. After all, you are the “top management” of the library and if you can't be expected to know these things, why should the taxpayer trust your judgement in spending his money on them. Of course there are some easier questions you should also know “off the top of your head.” Typical ones might be: Where is the library? (from newcomers, one hopes) When is the library open? Names of key personnel—again ones that will work in areas of interest to the asker.

Don't be embarrassed if you don't know these answers, but do make a resolution to learn them and to keep current as they change with time. You don't need to be able to recite the library's mission statement like the Pledge of Allegiance, but you do need to be able to tell, in your own words, what purpose the library serves in your community. No one expects you to quote to-the-penny financial statements of profit and loss, but you should have some fairly close idea about how much money the library takes in and spends in an average year. You should know about plans for the future, major goals of the long-range plan, and be able to explain why the library is headed in the direction it has taken.

And you should welcome questions! Never, ever be evasive. Sound excited about your library; enthusiasm is contagious. If you don't know the answer, admit it and offer a solution. Perhaps you can find the answer and enlighten your inquisitive friend another time. Be proud of your role as a library trustee and let others see that pride. Invite those who care enough to ask about the library to the next board meeting. You may be grooming new trustees without knowing it.

ISSUES FOR BOARDS

One big surprise for most trustees upon starting their career as a board member is the number of laws and regulations they are expected to follow. Fortunately, the Trustee Manual highlights the most common and essential statutes and offers advice on how both a board and an individual trustee may lessen his/her liability.

Open Records Act

The library board is required to abide by the provisions of the Open Records Act (KRS 61.870-61.884). The purpose of this law is to ensue that public agencies (libraries) and their officials (trustees and staff) are accountable to the people and that the public has the opportunity to be knowledgeable about the affairs of government. The statute uses this language: "The General Assembly finds and declares that the basic policy...is that free and open examination of public records is in the public interest...even though such examination may cause inconvenience or embarrassment to public officials or others."

What is a public record? "Public record" means all books, papers, maps, photographs, cards, tapes, discs, diskettes, recordings, software, or other documentation regardless of physical form...which are prepared, owned, used, in the possession of or retained by a public agency."

A person may come to the library during operational hours or may ask to have a copy mailed to her. To qualify for having them mailed, the individual's residence or principal place of business must be outside the county in which the records are located. Additional requirements are: the requester must precisely describe the records; the records must be readily available; and the photocopying fee and postage must be paid in advance.

Records that do not already exist do not have to be created. For example, if a request is made to inspect a list made from public records and the list does not already exist, the library is under no obligation to compile such a list.

The request may be made orally or in writing. The library may require a written request with a signature if it so desires. The request may be hand-delivered, mailed, or faxed. The request must sufficiently describe the record so that it may be located without extensive research. The library is under no obligation to produce records when the request is so vague that one cannot determine with reasonable certainty what record is being requested. Requests to inspect general categories of records (such as minutes) are not necessarily too vague.

For records that are readily available the library has three working days in which to comply. For records that are in active use or in storage, the library must notify the requester within three working days, providing a detailed explanation of the delay and scheduling an inspection at the earliest possible date.

The person inspecting the public records has the right to make notes or request copies. This applies to duplication of records other than written ones (tapes, discs, etc.). The library may charge reasonable fees for copies, but the fee may not exceed the actual cost of the copies. Actual cost may include postage but may not include staff time. [The state charges 10¢ per page; actual cost of non-paper items.]

These are only the highlights of the Open Records Act. There are many details spelled out in statute and regulation and numerous opinions rendered by the Attorney General's office. Bottom line: Open Records may not be a *frequent* issue in libraries, but they are serious business.

WHAT DID WE DO WRONG?

Sometimes it becomes obvious that a library board is just not functioning properly and members have lost their focus and purpose. Why, one wonders, does this happen and what can be done about it?

Boards may fail because the wrong criteria were used in selecting people to serve. Too often trustees are chosen simply because they are nice people or friends of current trustees. All board members should be recruited based on a match between the skills each has and the needs of the library.

Boards may fail because of the inability or reluctance of members to put their skills to work while serving on the board. This can happen for a number of reasons: members have not been given responsibilities; meetings are dull and unproductive; the president and director have already made most of the major decisions; or there has been an inadequate orientation for new trustees.

Boards may fail because they leave undone those things which they ought to do; and they do those things which they ought not to do. The job of the board is to govern—to set policy; to plan for the future; to employ, support, and evaluate a director; to advocate for library support; and to monitor the library's finances, performance, and progress. All too often, boards do not focus on their essential jobs, but become dysfunctionally involved in routine management that is the province of the staff.

Boards may fail because a strong director dominates all affairs of the library. Trustees must insist on doing their job and not abdicating their responsibilities to paid staff. They need to provide a competent director who gives leadership to the staff and

accountability to the board without infringing upon the functions of the board.

Boards may fail because of ineffective team relationships between trustees and staff. The most effective libraries are those where board and staff collaborate well, with each recognizing that many issues have both a policy (board) and an action (staff) component. These partnerships are built on interdependency, mutual support, and excellence in performance. Each must acknowledge the importance of the other and all be committed to the idea that working together as a team leads to better decisions.

Boards may flounder but that doesn't mean they have to fail. Help is available from several sources. Every library board has access to guidance from the Kentucky Department for Libraries and Archives, both from Frankfort and its local regional office. The Kentucky Library Trustee Association sponsors programs at the Kentucky Library Association conference each fall and has its own full-day conference each spring to help boards learn their jobs. Take advantage of all of these.

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LIBRARY LETTERS

Dear Marian Librarian,

We want our December meeting to be a dinner meeting at the Country Club but one of our newer members says we shouldn't because we'll look elitist. Is she right or just being a party pooper?

-- Troubled Trustee

Dear Troubled,

Her instincts are right, but for the wrong reasons. It's not elitist; it's illegal. All library board meetings, even the December one, are subject to the Open Meetings law (KRS 61.805-.850) which, in a nutshell, means the public must be able to attend. As the county club is a private, members only site, it would not be in compliance with this statute. For that matter, neither would holding the meeting in a van on a trip to a workshop. This simple rule can be applied to all meeting situations: if the public can't be present, you can't hold it there.

HOW MUCH DO YOU KNOW?

The following quiz will let you test your knowledge on the topics covered in this publication. The answers are under "Publications" on KDLA's web page <www.kdla.net>.

1. If someone asks me at a New Year's Eve party about the public library's budget, what should I be expected to know?
2. Does the library *have* to let a citizen make a copy of board meeting minutes? What about our financial report?
3. What all can we consider when figuring out the actual cost of providing copies of public records for someone requesting them?
4. Name three reasons why a library board might fail to do its job.
5. If our board is having trouble functioning as it should, where can we get help?

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ANSWERS TO T³ QUIZ:

- 1. If someone asks me at a New Year's Eve party about the public library's budget, what should I be expected to know? [pg 1]**

As a trustee of the public library, you should know certain basic information about it and that includes a ballpark estimate of how much money the library receives and spends in a year. You have this information in your monthly financial reports and it is public record—subject to the Open Records Act (KRS 61.870-.884). No one expects you to memorize each line item, but you should know if the library's budget is around \$50,000 or \$500,000.

- 2. Does the library have to let a citizen make a copy of board meeting minutes? What about our financial report? [pg 2]**

Yes and yes. These are public records and anyone may inspect them, make notes from them, or ask for photocopies of them.

- 3. What all can we consider when figuring out the actual cost of providing copies of public records for someone requesting them? [pg 2]**

Assuming it's a print copy, the actual cost of printing out each page multiplied by the number of pages. What you cannot count is staff time in making the copies. The library probably determined the actual cost of photocopying when it set its fee for photocopies. The state charges 10¢ and that has been ruled fair. If your library is routinely charging considerably more than 10¢, you may have to institute a separate, lower charge for materials requested under the Open Records Act. Costs of non-print media are usually recovery costs. Example: If you routinely taperecord board meetings and someone requested a copy of the tape, then the charge would be whatever the library paid for the tape on which the copy is made.

- 4. Name three reasons why a library board might fail to do its job. [pg 3]**

- 1. wrong criteria was used in selecting new members*
- 2. inability or reluctance of trustees to use their unique skills*
- 3. not governing but managing the library*
- 4. dominating director takes over board functions*
- 5. ineffective team relationships between trustees and staff*

- 5. If our board is having trouble functioning as it should, where can we get help? [pg 3]**

From KDLA in Frankfort

From KDLA's 12 regional offices

From KLTA (Kentucky Library Trustee Association)

Continual trustee education is available from all of the above. KDLA sponsors statewide Trustee Institutes each summer; publishes T³: Trustee Training Tips; publishes the Kentucky Public Library Newsletter; and answers your specific questions. KDLA's regional offices provide staff to attend board meetings and assist you as needed; provide new trustee orientation and on-going refreshers as requested; provide regional workshops for trustees; and answers your specific questions. KLTA sponsors trustee education via conference programs twice each year and offers peer advice through a network of members.